

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :  
 : No. 4:CR-02-85-02  
vs. :  
 :  
MICHAEL ALLEN MORGRET : (Judge Muir)  
 :

**ORDER**

May 5, 2005

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Michael Allen Morgret pled guilty on August 25, 2003, to the offenses of conspiracy to possess with the intent to distribute controlled substances in violation of 21 U.S.C. § 846, and conspiracy to intimidate and corruptly persuade another person involving witness tampering in violation of 18 U.S.C. §§ 1512(b)(1) and (b)(2)(B). For reasons not relevant to this order, on March 5, 2004, a fourth attorney, Douglas B. Chester, was appointed to represent Morgret.

This case is currently on our June, 2005, trial list for a pre-sentence hearing on Morgret's objections to his pre-sentence report. On May 2, 2005, Morgret filed *pro se* a "Motion of Defendant for Order to Produce Grand Jury Testimony and Any Further Brady and Jencks Material."

More than one year ago Morgret made his first attempt to file *pro se* documents while represented by counsel. By order dated March 9, 2004, we advised Morgret that "he had no right to file papers *pro se*." Hall v. Dorsey, 534 F. Supp. 506 (E.D. Pa.

1982) (Giles, J.). In addition to his two attempts to file documents *pro se* while represented by counsel, Morgret has also tried to prompt court action in his case by writing letters directly to the undersigned. On each occasion, in January of 2004 and earlier this month, we responded by advising Morgret that it is improper to contact the court directly by letter, especially when represented by counsel. We take a dim view of Morgret's failure to comply with our prior instructions, and hereby warn him that sanctions will be considered if he makes any further attempt to contact the court in any inappropriate manner.

Morgret is represented in this matter by counsel and at this time he will be heard only through his counsel. We will strike Morgret's *pro se* motion because he has no right to file such documents in this case.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Clerk of Court shall strike Morgret's *pro se* motion (Document 441) from the record.
2. While Morgret is represented by counsel he shall file no further motions *pro se* relating to discovery or the merits of this case which could be filed by his counsel.
3. Morgret shall not communicate with the Judge in this

case by letter or otherwise.

s/Malcolm Muir  
MUIR, U.S. District Judge

MM:ga